

UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
1148/095

Total Pages in this Submission
221

Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)
- | | | |
|---|------------------|-----------|
| a. <input checked="" type="checkbox"/> Formal | Number of Sheets | <u>19</u> |
| b. <input checked="" type="checkbox"/> Informal | Number of Sheets | <u>27</u> |
4. ☒ Oath or Declaration
- a. ☐ Newly executed (original or copy) ☒ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
- a. ☐ Computer Readable Form (CFR)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail (Specify Label No.): EV 068576547 US

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17. ☒ Applicant claims small entity status. See 37 CFR 1.27.

☐ (Optional) Small Entity Statement(s) - Specify Number of Statements Submitted:

18. ☐ Additional Enclosures (please identify below):

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19. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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(Small Entity)

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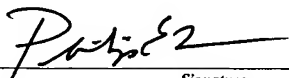
Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	170	- 20 =	150	x \$9.00	\$1,350.00
Indep. Claims	10	- 3 =	7	x \$42.00	\$294.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$375.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$2,019.00

- ☒ A check in the amount of \$2,019.00 to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 50-0525 as described below.
- ☐ Charge the amount of _____ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: October 9, 2003



Signature
Philip E. Levy, Esq., Reg. No. 40,700
Metz Lewis LLC
11 Stanwix Street, 18th Floor
Pittsburgh, PA 15222
(412) 918-1100

CC:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Eric Teller et al.

Docket No.

1148/095

Serial No.

To be assigned

Filing Date

October 9, 2003

Examiner

Group Art Unit

Invention:

METHOD AND APPARATUS FOR AUTO JOURNALING OF CONTINUOUS OR DISCRETE BODY STATES UTILIZING PHYSIOLOGICAL AND/OR CONTEXTUAL PARAMETERS

I hereby certify that the following correspondence:

Specification, claims, drawings, Declaration, check and return postcard

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

October 9, 2003*(Date)*Philip E. Levy, Esq.*(Typed or Printed Name of Person Mailing Correspondence)*
*(Signature of Person Mailing Correspondence)*EV 068576547 US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**